

Official Minutes for Webb County Commissioners Court Meeting

Monday, February 14, 2005 at 1:00 PM and continuing
Tuesday, February 15, 2005 at 1:00 PM
(All items were taken on Monday, February 14th)
(Approved 03-14-2005)

- Item No. 1 Call to order by Judge Louis H. Bruni
Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 1:00 p.m. at the regular meeting place with the following members present to wit:

Louis H. Bruni	County Judge
Frank Sciaraffa	Commissioner, Pct. 1
Judith Gutierrez	Commissioner, Pct. 2
Jerry Garza	Commissioner, Pct. 3
Cindy Cortez- Brunner	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 11th of February 2005. Present also were Ms. Nora Elia Prado, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

- Item No. 2 Roll Call – Margie Ramirez Ibarra, Webb County Clerk

- Item No. 3 Pledge of Allegiance – Led by All

- Item No. 4 Discussion and possible action to approve the public official bond in the amount of \$3,000 for Cynthia Cortez Brunner, Commissioner Precinct 4, to be effective January 26, 2005 for a period of two (2) years.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 5 Approval of minutes – January 10th and continuing January 11th, 2005.

Cmr. Gutierrez motioned to approve the minutes as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 6 Approval of bills, payroll and monthly reports

Mr. Leo Flores, County Auditor, presented his monthly report ending January 31, 2005. He stated that 33% of the fiscal year had been completed. He stated that overall revenues collected are at 57% though there are several departments that have not met their projected revenues. He stated that overall expenditures are at 31%.

Cmr. Garza motioned to accept the Auditor's Monthly report. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 7 Communications

Cmr. Garza stated that he traveled with Mr. Carlos Villarreal, Executive Administrator, and representatives of *Fidenor* to meet with the Texas Department of Transportation regarding the current rail road routes. He stated that TXDOT has supported the project being undertaken by the Rural Rail Transportation District Board in re-aligning the rail crossings to the Camino Colombia bridge. He stated that this project is of the utmost importance. He also congratulated the San Agustin Basketball team for being the district champions.

Cmr. Cortez-Brunner thanked the court for the opportunity to serve the residents of Precinct 4 and stated that she looks forward to working with court members.

Item No. 8 Public Comment

Mr. Raul Ramos was present to address Item No. 12 and No. 13. He thanked the court for their assistance in having the trash picked up. He stated that their concern now is the fixing of the streets. He stated that the last time it rained, the roads became so flooded and muddy that the garbage trucks were unable to go into the colonia. He stated that it was not only the garbage trucks that are unable to go into the colonia, but the school bus won't go into the colonia either which puts the safety of the children at risk. He wants the court to honor their promises to repair the streets.

Ms. Mary Meier was present to address Item No. 12 and No. 13. She stated that she would like an evaluation of Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, to be done since the roads are not being repaired on a daily basis. She stated that signs needed to be put up stating that there are no dump sites in the colonias. She stated that 60 feet of the roads in the colonias belong to Webb County and only 20 feet are being cleaned.

Mr. Ramon Munoz was present to address Item No. 12 and No. 13. He stated that he has the constitutional right to be heard and feels that the court has not heard their plight or done anything to repair the roads. He stated that Mr. Jose Luis Rodriguez has spent \$1 million on new equipment but nothing has been done and feels that Mr. Rodriguez should be evaluated.

Mr. Jose Contreras was present to address Item No. 12 and No. 13. He stated that he lives in Los Ranchitos and that nothing has been done in their colonia. He stated that if the reason for the delay in repairs is due to a lack of personnel, he and several colonia residents are certified to operate heavy machinery and are willing to do the work themselves as long as they are allowed to use the equipment.

Ms. Jimenez was present to address Item No. 13. She stated that it was not fair that the children were dropped off outside the colonia if the roads are un-passable. She stated that she was coming before the court to request that the court also repair the roads in Los Ranchitos. She stated that they are also requesting water services but feels that the roads should be a priority.

Mr. Valdez was present to address Item No. 13. He stated that he has lived in Los Ranchitos for over 13 years and stated that it was not fair that other colonias have received some assistance and had work done when they continue to be ignored. He stated that he has been advised by Mr. Jose Luis Rodriguez that work cannot be done since the roads are private roads.

Mr. Homero Ramirez, County Attorney, recommended that the court not make any comments or have any discussions during Public Comments. He also reminded the court that they had previously voted to limit comments if they became repetitive. He also reminded the court that public comments are not required by state law.

Mr. Jesus Sanchez was present to address Item No. 13. He stated that the colonia residents have been deceived for many years. He stated that the court has an obligation to help all county residents regardless of whether they vote or not.

Mr. Balt Ramos, Golf Course operator, was present to address Item No. 14. He stated that this item came as a surprise to him since he believed that all items had been resolved at the December meeting. He stated that he would like to comment on any concerns regarding this item.

Mr. Anthony Peterson was present to address Item No. 55. He stated that this will bring in new voters in to the election process. He also stated that the voter lists needed to be purged from those voters who are deceased, have moved or are listed in multiple precincts.

Cmr. Gutierrez motioned to move up Item No. 90. Cmr. Garza seconded the motion.

Mr. Rick Flores, County Sheriff, stated that the correct item was Item No. 10.

Cmr. Gutierrez motioned to move up Item No. 10, not No. 90. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 10 Discussion and possible action to direct appropriate staff members to consult with Webb County economic advisors, Estrada Hinojosa and

Company Inc., in order to assess Webb County's current financial condition and its relative ability to issue bonds as necessary in order to modernize the Sheriff Department's antiquated weaponry and materiel so as to meet with the challenges that today's criminal element poses.

Mr. Rick Flores, County Sheriff, stated that he placed this item on the agenda in order to be able to properly outfit his deputies. He stated that the current equipment that they are using dates back to the 1950-1960s. He stated that the deputies need to be able to be up to par with the types of weapons that the modern day criminal has access to. He stated that this item could not be put off due to the safety and welfare of his deputies. He stated that his deputies needed to be properly equipped. Mr. Carlos Villarreal, Executive Administrator, stated that he would like the opportunity to meet with Sheriff Flores and bring this item for approval along with a funding source at the next meeting. He stated that it would be possible to purchase the equipment at this time with any extra monies and then replace those monies used with the next bond issuance. Mr. Raul Casso, Chief of Staff, stated that he would like to see what financial situation the Sheriff is in and bring that information to the court at an upcoming meeting.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Carlos Villarreal, Executive Administrator, stated that the monies would be made available immediately and replaced with a future bond issuance.

Item No. 9 Status Report by Satterfield and Pontikes Construction, Inc, and Webb County Engineer, on the progress of the South Laredo Water Project with discussion and possible action to take steps necessary to eliminate undue delays, if any, and to ensure the speedy progress of the same.

Mr. Homero Ramirez, County Attorney, stated that he had some concerns about this item being discussed due to the wording of the item. He stated that the use of 'undue delay' may affect the contract in place and requested that the item be deferred.

Cmr. Gutierrez motioned to defer this item. Cmr. Garza seconded the motion.

Motion failed 2-3 with Judge Bruni, Cmr. Sciaraffa and Cmr. Cortez-Brunner voting against.

Mr. George Pontikes stated that the project was approximately 100 days behind and that he does have some concerns. He stated that there are some plans in place to go online by August but that some easements are not in place. Mr. Tomas Rodriguez, County Engineer, stated that they are working on finalizing some documents and that the court had authorized easements for one owner in December.

He stated that there are some concerns between the contractor and engineer but that they are addressed at daily morning meetings. Cmr. Sciaraffa requested that he be included in these morning meetings.

Cmr. Sciaraffa motioned to table this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 11 Discussion and possible action to renew contractual agreement with McWilliams and Associates under the same terms and conditions as the prior contract entered into with the same on January 27, 2003; new agreement to include a similar two year term.

Judge Bruni motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Gutierrez requested that Item No. 12, No. 13, No. 15, No. 34 and No. 64 be discussed together.

- Item No. 12 Status report on the County Roads at Pueblo Nuevo Subdivision with discussion and possible action to direct Road and Bridge Department to make repairs and/or improvements to the same as deemed necessary by the court.

- Item No. 13 Status report on the County Roads in Colonia "Ranchitos 359" with discussion and possible action to direct Road and Bridge Department to make repairs and/or improvements to the same as deemed necessary by the court.

- Item No. 15 Status report with possible action on the extension of water lines and water waste lines on Hwy 359

- Item No. 34 Report from the County Engineer on the status of ROW Acquisition and roads on Colonias located on Hwy 359.

- Item No. 64 Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to Advertise for "Request for Proposals" for the paving and storm drainage design of the following "Colonia Paving Projects" funded by TXDOT Border Colonias Access Program;

1. D-5 Acres -- \$241,083 for engineering and construction
2. Los Altos -- \$569,306 for engineering and construction
3. Old Milwaukee East & West -- \$423,786 for engineering and construction
4. Peñitas -- \$1,127,320 for engineering and construction
5. Ranchitos 359 -- \$377,035 for engineering and construction

6. San Carlos 1 & 2 -- \$1,442,002 for engineering and construction
7. Tanquecitos I & II -- \$1,230,015 for engineering and construction

Mr. Tomas Rodriguez, County Engineer, stated that the ROW acquisition began in 1997 and \$1.1 million has been spent on acquisitions. Cmr. Gutierrez stated that without ROWs, it is impossible to bring sewer and water lines to rural areas. She stated that this also allowed private roads to become county roads. She stated that it was very important to know which roads are county roads in order to continue with road maintenance. She stated that she took offense to statements that she hasn't done anything for the colonias. She stated that these issues needed to be straightened out legally and that the court must be able to let people know of any progress being done. Mr. Homero Ramirez, County Attorney, stated that he was unable to say with complete surety which roads were completely county roads. Judge Bruni stated that he was concerned that there was no official listing or map which would show with roads are already dedicated to the county. He stated that the county roads are in a very poor condition and needed to be properly maintained. Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, stated that his department has been doing as much caliche as possible but that the process is time consuming. He stated that they have done 18.8 miles of road work and 8 miles of caliche in 2½ months. Cmr. Gutierrez expressed the importance of continuing to apply for funding from the Colonia Access Program.

Cmr. Gutierrez motioned to move up Item No. 31. Cmr. Cortez-Brunner seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 31 Discussion and possible action to approve a Resolution in support of Mental Retardation Local Management and Funding.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Cmr. Sciaraffa motioned to move up Item No. 48, No. 90, No. 91, No. 92, and No. 93. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 48 Discussion and possible action to enter into a nine (9) month professional service agreement with DR. CLIFFORD M. BLACK / CJUS PROGRAMCONSULTANTS INTERNATIONAL, INC. to provide Administrative Coordination Services for the Webb County Sheriff Office at a cost not to exceed THIRTY-SEVEN THOUSAND FOUR HUNDRED NINETY-NINE DOLLARS (\$37,499.99), and authorizing the

Webb County Judge to sign all relevant documents. [Requested by Webb County Sheriff; Acct. No. 001-2060-6022 (Professional Services)]

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 90 Discussion and possible action to add two seized vehicles to the Webb County Sheriff Department to be used for law enforcement purposes.

Vehicles awarded by the District Attorney's Office;

1. 2000 Ford Excursion VIN# 1FMSU43F3YEC52128
2. 1998 Dodge Pick-up VIN# 1B7MF3364WJ241239

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 91 Discussion and possible action to approve the submission of a Citizen Corps FY 2005 grant application to the Texas Association of Regional Councils (TARC) Citizen Corps Grant Program for the Community Affairs Division to develop Volunteers in Police Service (VIPS) and Neighborhood Watch (NW) program through planning, public education, outreach, training, equipment and consumable supplies in the amount of \$16,000 with an in-kind match of \$9,420 (VISTA Volunteer VIPS Coordinator position paid through federal grant).

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 92 Discussion and possible action to retain the service of Three Amigos Commissary Vendor to operate at the Webb County Sheriff Commissary for a period of 120 days.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Homero Ramirez, County Attorney, stated that the court needed to include as part of the motion an order declaring discretionary exemption from bidding.

Cmr. Gutierrez motioned to amend her motion to include approval of an order granting a discretionary exemption from bidding. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 93 Discussion and possible action to seek funds to install a new water heater on the 4th floor of the Webb County Jail from Chavarria's Plumbing in the amount of \$23,351.00.

Cmr. Gutierrez motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

Mr. Rick Flores, County Sheriff, stated that there were no monies available in his budget for the purchase of this water heater. Judge Bruni stated that the funds could be found in the savings and possible discretionary funds from Cmr. Cortez-Brunner. Cmr. Cortez-Brunner stated that she would have the monies available in her funds.

BREAK 3:48 pm to 4:14 pm

- Item No. 16 Discussion and possible action to appoint Commissioner Cynthia Brunner to the Metropolitan Planning Organization.

- Item No. 17 Discussion and possible action to appoint Commissioner Frank Sciaraffa to the Webb County Bail Bond Board.

- Item No. 18 Discussion and possible action to appoint Commissioner Jerry Garza to the County's Insurance Committee.

- Item No. 19 Discussion and possible action to appoint Commissioner Frank Sciaraffa and Commissioner Cynthia Brunner to the South Texas Development Council.

Cmr. Sciaraffa motioned to approve Item No. 16, No. 17, No. 18 and No. 19 as submitted. Cmr. Garza seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 14 Discussion on the status of debts owed to the County by golf course operator Balt Ramos as reported by the County Auditor and action to demand immediate payment thereof.

Mr. Homero Ramirez, County Attorney, stated that he had some concerns regarding the agreement that was reached in December. He stated that he understood that

the December agreement would resolve all debt issues and that unless there were new charges, there should be no action or comments made on this item. He stated that if the court would like to discuss this item, a more appropriate agenda item could be placed at the next meeting. Judge Bruni stated that his concern was the condition that the golf course was in. Mr. Balt Ramos, Golf Course Operator, stated that he has done everything that the court has requested and does not understand why this item is on the agenda.

Cmr. Gutierrez motioned to table this item. Motion died for lack of a second.

Cmr. Garza stated that he was concerned about possible litigation and hurting the county's position on this matter. He requested that the court go into Executive Session if there were further discussion. Mr. Ramirez advised the court that the item was not posted as an Executive Session item. Mr. Leo Flores, County Auditor, stated that he was asked to perform an analysis of what he believed was owed by Mr. Balt Ramos and that he had some disagreements with Mr. Ramirez regarding what qualified as utility payments. Cmr. Gutierrez stated for the record that she voted against the privatization of the golf course since some issues had not been addressed at the time. Mr. Ramirez stated that he believed that all those issues were addressed and finalized at the December meeting. He stated that if the court wanted to go in a different direction on this matter, they would have to renegotiate the contract. Mr. Flores stated that the public wants to know what is being done regarding the golf course and felt that this needed to be discussed in public. Mr. Ramirez disagreed with Mr. Flores' comments regarding legal issues being discussed in open session. Mr. Ramos stated that he agreed with Mr. Ramirez and stated that the court had already made its decision regarding this in December. He stated that he wants to be accountable to the county and be able to move forward.

Item No. 20 Discussion and possible action by resolution of the Webb County Commissioners Court to call for the recall of the County's member on the Webb County Appraisal District Board of Directors and to cast all of Webb County's 1024 votes to recall the County's member on the Webb County Appraisal District Board of Directors as per Section 6.033 of the Texas Property Tax Code.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

Item No. 21 Discussion and possible action by resolution of the Webb County Commissioners Court to nominate a candidate for the Webb County Appraisal District Board of Directors as a result of the recall of the county's member and to cast all of Webb County's 1024 votes for Commissioner Jerry Garza as Webb County's new member to the Webb County Appraisal District Board of Directors for the remainder of

the 2004-2005 term as per Section 6.033 of the Texas Property Tax Code.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 22 Discussion and possible action to transfer 2003 Ford Pick-up from Planning Department assigned to the Webb County Judge's Office to Constable Pct. No. 2 Ruben Reyes.

Cmr. Gutierrez motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 23 Discussion and possible action to transfer \$350,000.00 (Three Hundred Fifty Thousand Dollars) from bond series 2003 fund 663 to Precinct 1, Park Development, Bond Series 2003 Account #658-8103-8710.

Cmr. Garza motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action to approve a Resolution in support of the Irma Rangel School of Pharmacy, County of Kleberg, Kingsville, Texas.

Cmr. Garza motioned to table this item. Cmr. Gutierrez seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 25 Discussion and possible action to approve Resolution-Senate Bill 278-
doing away with set asides for Colonia Paving Projects in small counties.

Mr. Raul Casso, Chief of Staff, requested that this item, not No. 24 be tabled since the wrong resolution was submitted.

Cmr. Gutierrez motioned to table Item No. 25. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

- Item No. 24 Discussion and possible action to approve a Resolution in support of the Irma Rangel School of Pharmacy, County of Kleberg, Kingsville, Texas.
- Cmr. Gutierrez motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 26 Discussion and possible action to grant a utility easement to the City of Laredo for its appraised value of \$37,700.00, and to grant a temporary working easement to the City of Laredo in order for it to complete the Chacon Creek Interceptor Project, Phase II.
- Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 27 Discussion and possible action to set a date for department head evaluations.
- Cmr. Cortez-Brunner stated that she would like the opportunity to put off the evaluations for a few months in order to be able to meet with the department heads. Judge Bruni stated that his concern was the need for evaluations due to pending grants.
- Cmr. Sciaraffa motioned to instruct Mr. Carlos Villarreal and Mr. Raul Casso to set dates for evaluations. Cmr. Gutierrez seconded the motion.
- Motion carried 5-0 by unanimous consent.
- Item No. 28 Status report from Road & Bridge regarding expenditure of funds allocated for the improvement of County Roads, fund 661, series 2003, with discussion and possible action to direct Road and Bridge Departments at road improvement as deemed appropriate by the court.
- Mr. Jose Luis Rodriguez, Road and Bridge Superintendent, stated that they are working on Espejo Molina, Mangana Hein and Jennings Road. He stated that he has been advised that the City may be planning to do some work on the CCA road. Cmr. Sciaraffa brought up the possibility of instructing Mr. Rodriguez to check with the city regarding their plans for the CCA road. Mr. Raul Casso stated that when the roads were selected as priority roads, it was based on traffic studies performed. Cmr. Gutierrez stated that she was concerned with that method of prioritizing colonia roads for road repair.

Cmr. Gutierrez excused herself from the meeting. (5:21 pm)

- Item No. 29 Consideration and adoption of a resolution by the Commissioners Court of Webb County, Texas authorizing its financial advisor and legal counsel to proceed with matters related to refunding certain obligations including the preparation of a preliminary final official statement and other necessary documents related thereto.

Judge Bruni stated that by refunding these monies, the county would be able to save \$658,394.

Cmr. Garza motioned to approve item as submitted. Judge Bruni seconded the motion.

Motion carried 3-0 with Cmr. Sciaraffa not present for voting and Cmr. Gutierrez not present.

Cmr. Garza motioned to move up Item No. 47, No 61, No. 62, No. 74 and No. 88. Cmr. Sciaraffa seconded the motion.

- Item No. 47 Discussion and possible action to enter into a contract with Tetra Tech, Inc. to drill one water well, to potable water standards, on the Webb County School Lands, in the amount of THREE HUNDRED ELEVEN THOUSAND SIX HUNDRED ELEVEN DOLLARS (\$311,611.00) and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Nathan Bratton, Assistant County Attorney, stated that he will be making recommendation for well construction. He stated that he is working on a scope of work for a consultant.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 61 Discussion and Possible Action Awarding Supplemental Agreement No. 2 in the amount of \$115,600.00, to the existing Contract with Dannenbaum Engineers for additional services for the design of the Regional Wastewater Treatment Plant. This is part of the Texas Water Development Board water and sewer improvements at El Cenizo and Rio Bravo. They designed the expansion of the Wastewater Treatment Plant from 650,000 gallons per day to 1.5 MGD.

Mr. Tomas Rodriguez, County Engineer, stated that they are requesting an approval of an amendment made to the design to lower the cost and make additional improvements.

Comr. Sciaraffa motioned to approve item as submitted. Comr. Garza seconded the motion.

Motion carried 4-0 with Comr. Gutierrez not present.

- Item No. 62 Discussion and Possible Action Awarding Supplemental Agreement No. 3 to the existing Contract with Dannenbaum Engineers for the inspection of six construction projects of the Texas Water Development Board water and sewer improvements at El Cenizo and Rio Bravo in the amount of \$109,836.00. They will be inspecting the 2.4 MGD Water Treatment Plant, Expansion of the Wastewater Treatment Plant to 1.5 MGD, water line replacement in Rio Bravo, water line replacement in El Cenizo, lift stations and force mains in El Cenizo, 200,000 gallon elevated tank in El Cenizo and the replacement of water lines in Rio Bravo.

Comr. Garza motioned to approve item as submitted. Comr. Sciaraffa seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that the inspection is part of the project and the department will cover part of the inspection.

Motion carried 4-0 with Comr. Gutierrez not present.

- Item No. 74 Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:
Connection(s) qualifying under Section 232.029 (c) (1):
1. An unplatted 1.41 acre tract of land, more or less, out of Tract 8, La Presa Subdivision (electricity – one dwelling only);

Comr. Sciaraffa motioned to approve item as submitted. Comr. Garza seconded the motion.

Motion carried 4-0 with Comr. Gutierrez not present.

- Item No. 88 Discussion and possible action to approve the re-organization for a Human Resources/Risk Management Office effective February 18, 2005 and for the Commissioners' Court to establish the annual salaries for the two supervisors.

Comr. Sciaraffa motioned to table this item. Comr. Garza seconded the motion.

Motion carried 4-0 with Comr. Gutierrez not present.

Cmr. Sciaraffa motioned to move up Item No. 86. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 86 Discussion and possible action to purchase a surveillance system in the amount of \$17,870.00 from Kelmar & Associates for the Juvenile Justice Center.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 30 Discussion and possible action to re-appoint Carlos Villarreal to the Rural Rail Transportation Committee.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Carlos Villarreal, Executive Administrator, stated that the correct name of the board should be Rural Rail Transportation District Board.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 32 Report from the County Engineer on the status of the TXDOT Border Colonias Access Program for the Bruni and Mirando Paving Projects.

Cmr. Sciaraffa motioned to defer this item. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 33 Discussion and Possible Action on the presentation by the County Engineer on the proposed procedures for R.O.W. Acquisition for residents of Colonias for the purpose of providing water and wastewater service as well as the construction of roads and storm drainage improvements.

Cmr. Sciaraffa motioned to defer this item. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 35 Discussion and possible action to create a committee and evaluate Direct Record Electronic (DRE) Equipment and proposals from state certified vendors and make recommendations to Commissioners Court.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Cmr. Garza advised Mr. Oscar Villarreal, Interim Elections Administrator, to submit a list of people to recommend for this committee.

- Item No. 36 Discussion and possible action to contract the services of Justice Benefits, Inc. (formerly known as Vertex) to do a Jail Cost Study and make application to the U.S. Marshall Service for an increase to the current federal inmate per diem at a cost of \$25,000 plus a maximum of \$5,000 in travel expenses. The last study was prepared by Vertex in February 2002 and the federal inmate per diem was increased from \$43.56 to 49.43.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 3-0 with Cmr. Garza not present for voting and Cmr. Gutierrez not present.

- Item No. 37 Discussion and Possible Action for approval to submit application for funding, to United Way of Laredo, Inc., for FY- 2006, in the amount of \$30,000.00.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 3-0 with Cmr. Garza not present for voting and Cmr. Gutierrez not present.

- Item No. 38 Discussion and Possible Action for approval to fill Slot # 1238 Center Aide Rural, Full-Time, @ \$8.25/hr., effective February 15, 2005. Funding comes from the Emergency Food & Shelter Program grant and Community Social Services Block Grant .No Impact on the General Fund.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 3-0 with Cmr. Garza not present for voting and Cmr. Gutierrez not present.

- Item No. 39 Discussion and possible action for approval to accept Preliminary Grant award, budget, and other relevant documents, from the Texas Department of Housing and Community Affairs (TDHCA), for the Community Services Block Grant (CSBG) for FY 2005, in the amount of

\$219,197.00 and authorizing the County Judge to sign all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 3-0 with Cmr. Garza not present for voting and Cmr. Gutierrez not present.

- Item No. 40 Discussion and possible action for approval to ratify Community Action Agency's submission of application to FEMA (Federal Emergency Management Agency) thru United Way, for grant funding that will allow utility and rent assistance to low-income families, for FY 2005, in the amount of \$34,050.00.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 41 Discussion and possible action to enter into one (1) year agreements with Trimble Navigation Limited through GeoShack, Inc. for.
1. Three (3) extended limited warranties for 4600 Receivers at ONE HUNDRED AND FIFTY DOLLARS (\$150.00) each to equal FOUR HUNDRED AND FIFTY DOLLARS (\$450.00)
 2. One (1) Survey Controller Extended Warranty at FIVE HUNDRED AND EIGHTY DOLLARS (\$580.00)
 3. One (1) software support agreement at SIX HUNDRED AND FIFTY DOLLARS (\$650.00)
- for a total of ONE THOUSAND SIX HUNDRED AND EIGHTY DOLLARS (\$1,680.00) over the term, seeking a discretionary exemption to the competitive bidding statute (Local Government Code section 262.024(a)(7) (Sole Source), and authorizing the County Judge to execute all relevant documents. [Requested by Planning Department, Account No. 010-102-6402 (Repairs and Maintenance Equipment)].

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 42 Discussion and possible action to enter into an "Alarm System Purchase and Signal Monitoring Services Agreement" with Argus Security Systems for nineteen (19) Head Start Program locations for a period of thirty-six (36) months (February 14, 2005 through February 13, 2008) at quarterly payments of ONE-THOUSAND ONE HUNDRED

AND FORTY DOLLARS (\$1,140.00) to equal to a total of THIRTEEN THOUSAND SIX HUNDRED AND EIGHTY DOLLARS (\$13,680.00) over the term of the agreement and authorizing the County Judge to sign all relevant documents. [Requested by Head Start, Account No. 903-4207-6401 (Center Repairs)]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that three bids were received for this project.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 43 Discussion and possible action to enter into a two-year (February 14, 2005 to February 13, 2007) uniform rental agreement with Cintas Corporation to provide uniforms (shirts and pants) to Head Start employees at a cost of \$2.05 per person per week with a charge of jackets at \$0.45 per person per week and authorizing the County Judge to sign all relevant documents. [Requested by Head Start Program Account No. 903-4207-6202 (Uniforms)].

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 44 Discussion and possible action to enter into a contract amendment between Webb County, for the Community Action Agency, and CPL Retail Energy, LP for the "Neighbor to Neighbor" program whereby CPL Retail Energy LP provides funding to Webb County CAA to assist the needy pay home energy expenses, and authorizing the county judge to execute all relevant documents. [Requested by Webb County Community Action Agency]

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 45 Discussion and possible action to enter into a three (3) year lease (October 1, 2004 through September 30, 2007) with Montego Properties, Ltd. for office lease space for the Webb and Zapata County District Attorney Task Force at a monthly rental fee of TWO THOUSAND EIGHT HUNDRED AND EIGHTY DOLLARS (\$2,880.00), and

authorizing the county judge to execute all relevant documents.
[Requested by Webb and Zapata County District Attorney; Account No. 297-1100-6227 (Rents)].

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 46 Discussion and possible action to enter into a Third Party Funding Agreement as Follows: Savate Box \$5,620.00 and authorizing the county judge to execute all relevant documents.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 49 Discussion and possible action approve a Line Item Transfer as follows:

From: Fund 005	County Clerk Records Archive Fund	\$110,000.00
To: 005-1120-6022	Professional Services	\$110,000.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 50 Discussion and possible action to approve the following line item transfer:

From: 001-1011-5001	Payroll	\$10,000.00
To: 001-1011-6011	Training & Education	\$2,000.00

and \$8,000.00 to create and fund a part-time magistrate position.

Cmr. Sciaraffa motioned to table this item. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 52 Advising the Commissioners Court of an addition of a vehicle to our fleet. The addition is a 2002 Dodge Pick-up VIN: 3D3HA18NX2G165940 to be used by the Task Force in the fight against drugs.

Cmr. Cortez-Brunner motioned to approve the item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Cmr. Garza motioned to include as part of the motion for Item No. 88 that a workshop be set up to discuss the Human Resource Department. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 51 Discussion and possible action to approve the following line item transfer:

From: 001-1011-7053	Detention hearings	\$16,000.00
To: 001-1011-6024	Court appointed atty/fees)	\$16,000.00

to cover the remaining fiscal year.

Cmr. Sciaraffa motioned to table this item. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 53 Discussion and possible action to authorize the Economic Development Department to update all potential projects listed in the Webb County Recreational Plan – 2000 to 2010 for the period 2005 – 2010. This update will be in accordance to the Texas Parks and Wildlife Department's regulations for county-wide recreational plans and authorize the County Judge to name a committee of interested citizens to recommend potential county-sponsored projects to be included in the updated plan.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 54 Discussion and possible action to authorize the Economic Development Department to develop a project pre-application and submit to the Economic Development Administration (EDA) for the Webb County Rail District and Railway Industrial Zone Development Project to be located in Pct. #4 at a cost of \$500,000 with local match to be determined by the federal funding agency if considered for funding.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 55 Discussion and possible action to approve a resolution authorizing the filing of a Help America Vote Act (HAVA) program grant application with the Texas Secretary of State; and authorizing the county judge to

act as the county's executive officer and authorized representative in all matters pertaining to the county's participation in the HAVA Grant program.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 56 Discussion and Possible Action to authorize the Purchasing Agent and the County Engineer to get bids to move the fence on Hwy 59 out of the Texas Department of Transportation's Right of Way. This involves approximately 5,450 feet on the north and south side of the road – Road & Bridge and the Agricultural Complex. There is an encroachment that varies from 3 to 12 inches.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 57 Discussion and Possible Action Authorizing Change Order No. 1 to Gilbert Texas Construction, Inc. Increasing the Contract from \$1,583,361.20 by \$236,585.44 to a total of \$1,819,946.64. The increase is due to additional paving, earthwork and permits for the TXDOT Border Colonias Access Program Rio Bravo Paving and Storm Drainage Phase I Project.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion with discussion.

Mr. Tomas Rodriguez, County Engineer, stated that this item was dealing with the paving of Phase I of the project. He stated that court approval is needed to complete this phase.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 58 Discussion and Possible Action Authorizing Change Order No. 2 to Caldwell Tanks, Inc. Increasing the Contract from \$506,785.60 by \$7,600.00 to a total of \$514,385.60. The increase is for the Logo design and painting and additional Sweep Blasting to the TWDB-EDAP El Cenizo Elevated Tank project. This action is subject to Texas Water Development Board's approval.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 59 Discussion and Possible Action Authorizing the Utilities Department to fill Vacant Position, Slot # 1305, Plant Operator I, at a salary of \$9.32 per hour from the present to March 31, 2005, and \$9.60 per hour from April 1st to September 30th, 2005.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 60 Discussion and Possible Action Authorizing the Engineering Department to fill Vacant Position, Slot # 1445, ROW Acquisition, at a salary of \$13.46 per hour from the present to March 31, 2005, and \$13.87 per hour from April 1st to September 30th, 2005.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 63 Discussion and Possible Action to Amend the Budget for the Records Management Building by Transferring Funds from the Justice Center Remodeling;

From:	687-0117-6022	Professional Services	\$10,492.00
To:	685-0116-8601	Construction in Progress	\$10,492.00

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 65 Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to award the Contract to Drash Consulting Engineers, Inc. in the amount of \$11,750.00 for engineering services to perform Soil Testing & Analysis provide Recommendations for the Design of the Foundation and prepare Preliminary Environmental Study for the Juvenile Youth Village.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 66 Discussion and Possible Action Amending the County's Emergency Management Plan to include a fine not to exceed \$100.00 for violation of the Webb County's Commissioners Court Order Adopting a County Emergency Management Program.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Tomas Rodriguez, County Engineer, stated that this item is to amend the plan and resolution.

Motion carried 4-0 with Cmr. Gutierrez not present.

BREAK (5:48 pm to 5:56 pm)

- Item No. 64 Discussion and Possible Action Authorizing the Purchasing Agent and the County Engineer to Advertise for "Request for Proposals" for the paving and storm drainage design of the following "Colonia Paving Projects" funded by TXDOT Border Colonias Access Program;

1. D-5 Acres -- \$241,083 for engineering and construction
2. Los Altos -- \$569,306 for engineering and construction
3. Old Milwaukee East & West -- \$423,786 for engineering and construction
4. Peñitas -- \$1,127,320 for engineering and construction
5. Ranchitos 359 -- \$377,035 for engineering and construction
6. San Carlos 1 & 2 -- \$1,442,002 for engineering and construction
7. Tanquecitos I & II -- \$1,230,015 for engineering and construction

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 67 Discussion and possible action to modify slot # 1907 and 6868 from full-time CDA Teacher II (40 hrs/wk for 10 months) with an annual salary of \$18,946 to full-time AA Teacher (40 hrs. /wk for 10 months) with an annual salary of \$20,473 to become effective February 15, 2005.

- Item No. 68 Discussion and possible action to fill slot # 1698, 1802, 2050, 2052, 2053, 2155 and 2193, part-time Substitute Teacher (15 hrs/week for 10 months) with an annual salary of \$4,721, effective February 15, 2005 through May 28, 2005 for a total prorated salary of \$2,381.60.

- Item No. 69 Discussion and possible action to modify slot # 1938 from full-time CDA Teacher I (40 hrs/wk for 10 months) with an annual salary of \$18,591 to fulltime AA Teacher (40 hrs./wk for 10 months) with an annual salary of \$20,473 to become effective February 15, 2005.
- Item No. 70 Discussion and possible action to modify slot # 6868 from full-time CDA Teacher II (40 hrs/wk for 10 months) with an annual salary of \$18,946 to fulltime AA Teacher (40 hrs. /wk for 10 months) with an annual salary of \$20,473 to become effective February 15, 2005.
- Item No. 71 Discussion and possible action to modify slot # 961 from full-time CDA Family Service Worker (40 hrs/wk for 10 months) with an annual salary of \$24,171 to full-time AA Family Service Worker (40 hrs. /wk for 10 months) with an annual salary of \$25,463 to become effective February 15, 2005.

Cmr. Sciaraffa motioned to approve Item No. 67, No. 68, No. 69, No. 70 and No. 71 as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 72 Discussion and possible action to assign the old Records Management warehouse to the Facilities Department to be used as a maintenance shop after this area is vacated when the new Records management building is constructed.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 73 Discussion and possible action to transfer monies from account #001-0500-6402 equipment maintenance to account #001-0500-6005 in the amount of \$300.00.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 75 Discussion and possible action to approve the following line item transfer:

From:	660-1102-8801	Capital Outlay	\$2,500.00
To:	001-1102-6014	Equipment & Rental	\$2,500.00

to be used for lease of a copy machine.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 76 Discussion and possible action to lease a copy machine from Office System Communication at a quarterly rate of \$1,035.87 making only two payments for this year's budget.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 77 Discussion and possible action to authorize the Purchasing Agent to purchase uniforms for Constable Pct. 1 from AI & Robs Sales in the amount of \$5,542.65.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Mr. Eloy Ramirez, Purchasing Agent, stated that this item was budgeted and would be the only uniforms needed for the year.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 78 Discussion and possible action to purchase one (1) 2005 Suburban from Classic Chevrolet Beaumont through the Houston Galveston Area Council in the amount of \$29,884.25 for the Commissioners Court.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 79 Discussion and possible action to purchase furniture for El Cenizo Classroom 1 and 2 Headstart Center from Reynolds Manufacturing Company in the amount of \$8,380.00 for the Headstart Program.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 80 Discussion and possible action to obtain the services of Drash Consulting Engineers, Inc. for geotechnical and environmental surveys in the amount of \$9,660.00.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 81 Discussion and possible action to solicit bids for qualified contractors for the Comprehensive Energy Assistance Program and the Weatherization Assistance Program for the Community Action Agency.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 82 Discussion and possible action to solicit bids for seventy (70) air conditioning units for the clients of Comprehensive Energy Assistance Program (CEAP) for the Community Action Agency.

Cmr. Garza motioned to approve item as submitted. Judge Bruni seconded the motion.

Ms. Cynthia Mares, Community Action Agency Director, stated that some clients have already been identified for these units but that they are also in the process of assessing the homes.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 83 Discussion and possible action to solicit bids for uniforms for the Sheriff's department.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Item No. 84 Discussion and possible action for the Commissioners Court to award/reject Proposal No. 2005-02 "Request for Proposals for Rehabilitation and Historic Preservation Court House Annex" to Turner, Hickey & Association.

Cmr. Garza motioned to approve item as submitted. Cmr. Sciaraffa seconded the motion.

Mr. Carlos Villarreal, Executive Administrator, stated that the monies for this project have been allotted.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 85 Discussion and possible action to solicit bids for one (1) modular building 94 x 68 for the Head Start Program.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 87 Discussion and possible action to award/reject the following bids:

Bid 2005-43 Contractor: AA Builders

Patricia Gonzalez-Diaz

Marco Antonio Soto

Bid 2005-44 Contractor: High & Mighty Construction

Armando and Rosa Lopez

Jose & Bertha Zamora

Bid 2005-45 Contractor: David Cantu, Jr., Construction Company

Bonifacio Rivera

Maria Espinoza

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 89 Discussion and possible action to accept the non-binding recommended ranking of the Insurance Committee in reference to RFP 2004-06 "Insurance Consultant" and to appoint an office and/or personnel to begin negotiations with the top ranking proposer.

Rank	Proposal
1	RWL Group
2	City-County Benefits Services
3	Robert V. Reim Company
4	Turn-Key Solutions

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Mr. Homero Ramirez, County Attorney, stated that the court needed to appoint either an office or personnel for negotiations. He recommended Mr. Jorge Flores, Interim Risk Manager, Mr. Raul Casso, Chief of Staff and himself. He stated that the ranking

would be based on the best qualifications. He stated that the negotiation process would begin with the 1st ranking and would continue with next ranking if no agreement was reached.

Cmr. Sciaraffa motioned to appoint Mr. Homero Ramirez, Mr. Jorge Flores and Mr. Raul Casso to begin negotiations. Cmr. Cortez-Brunner seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

Cmr. Garza motioned to move into Executive Session. Cmr. Sciaraffa seconded the motion.

Motion carried 5-0 by unanimous consent.

EXECUTIVE SESSION (6:13 pm to 6:54 pm)

Judge Bruni reconvened the meeting and stated that no action was taken while in Executive Session.

- Item No. 94 Discussion and possible action to accept a Full & Final Settlement from Lobo Logistics, LLC and National Fire & Marine Insurance Co. for property damage to Sheriff's Unit #334 (1994 Ford F-150 truck - VIN #1FTEF15N5RLB61034) which resulted from a motor vehicle accident on or about November 10, 2004. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code-Consultation with Attorney).

Mr. Jorge Flores, Interim Risk Manager, recommended settlement in the amount of \$3,875. He stated that the Sheriff's vehicle was a total loss.

Cmr. Sciaraffa motioned to accept Mr. Flores recommendation and accept the settlement. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 95 Discussion and possible action to accept a Full & Final Settlement from St. Paul Fire and Marine Insurance Company for property damage to Self Help Center Unit (1996 Ford E350 - VIN #1FDLE40S6VHA34164) which resulted from an arson incident on or about December 6, 2004. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code-Consultation with Attorney).

Mr. Jorge Flores, Interim Risk Manager, recommended settlement in the amount of \$17,322. He stated that the Self Help Center vehicle was a total loss.

Cmr. Sciaraffa motioned to accept Mr. Flores recommendation and accept the settlement. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 96 Discussion and possible action to terminate Webb County's Professional Service Agreement with Dr. Louis F. Mendoza, Jr., [Requested by Webb County Sheriff] Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)

Mr. Homero Ramirez, County Attorney, stated that the Sheriff would like to go in a different direction and requested the termination of this contract.

Cmr. Sciaraffa motioned to approve item as submitted. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 97 Discussion and possible action concerning current lease agreement between Laredo International Fair & Exposition and Gilbert Texas Construction, L.P. [Executive Session is requested pursuant to Texas Government Code Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]

Mr. Homero Ramirez, County Attorney, stated that the agreement is a license agreement not a lease agreement. He stated that a lease agreement would be in violation of the license agreement. He requested authorization to enforce license agreement. He recommended that a 72 hour notice be given to both parties of intent to seek injunction and declaratory relief.

Cmr. Sciaraffa motioned to accept Mr. Homero Ramirez's recommendation a give a 72 hour notice to both parties of intent to seek injunction and declaratory relief. Cmr. Garza seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.

- Item No. 98 Adjournment

Cmr. Garza motioned to adjourn. Cmr. Sciaraffa seconded the motion.

Motion carried 4-0 with Cmr. Gutierrez not present.